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6 Attorneys for Plaintiff
7 PARKER PROPERTIES, LP

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 PARKER PROPERTIES, LP,
12 Plaintiff,
13 vs.
14 LIBERTY MUTUAL INSURANCE
COMPANY and DOES 1 TO 10, inclusive,
15 Defendant.
16

Case No. 3:23-cv-06008-MMC

**JOINT STIPULATION AND
[PROPOSED] ORDER RE: FIRST
AMENDED COMPLAINT ;
DIRECTIONS TO PARTIES**

1 WHEREAS, Plaintiff Parker Properties, LP (“Parker Properties”) seeks to amend
2 the Complaint in this action to add Defendant West American Insurance Company and
3 dismiss Defendant Liberty Mutual Insurance Company without prejudice;

4 WHEREAS, Defendant Liberty Mutual Insurance Company does not object to
5 Parker Properties so amending the Complaint and dismissing it from the action.

6 THE PARTIES HEREBY STIPULATE AS FOLLOWS:

7 1. The First Amended Complaint attached hereto as Exhibit “1” shall replace
8 Parker Properties’ Complaint filed on October 20, 2023 as the operative pleading in this
9 action, in accordance with Federal Rules of Civil Procedure Rule 15(a)(2). The First
10 Amended Complaint shall be deemed filed upon the Court’s entry of order approving this
11 stipulation.

12 2. Liberty Mutual Insurance Company is dismissed without prejudice.

13 3. The undersigned counsel of record for Defendant Liberty Mutual Insurance
14 Company is authorized to accept service of the First Amended Complaint on behalf of
15 Defendant West American Insurance Company, and will file and serve an Answer to the
16 First Amended Complaint on behalf of Defendant West American Insurance Company
17 within 20 court days of service of the Court’s Order.

18
19 **IT IS SO STIPULATED AND AGREED.**

20
21 Dated: January 25, 2024

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
MICHAEL J. BETZ
KIMBERLY F. MACEY

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24 By: /s/ Michael J. Betz

MICHAEL J. BETZ
KIMBERLY F. MACEY
Attorneys for Plaintiff
PARKER PROPERTIES, LP

1 Dated: January 25, 2024

ROPERS MAJESKI PC

2 By: /s/ Mona Aghazadeh-Sanaei

3 BLAKE RUSSUM
4 NORMAN LAU
5 MONA AGHAZADEH-SANAEI
6 Attorneys for Defendant
7 LIBERTY MUTUAL INSURANCE
8 COMPANY

9 **ATTESTATION PURSUANT TO CIVIL L.R. 5.1(i)(3)**

10 As the filer of this document, I attest that concurrence in the filing was obtained
11 from the other signatories.

12 Dated: January 25, 2024

/s/ Michael J. Betz

13 Michael J. Betz
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~~PROPOSED~~ ORDER

to the parties' Joint Stipulation
 The First Amended Complaint attached ~~hereto~~ as Exhibit "1" shall replace Parker
 Properties' Complaint filed on October 20, 2023 as the operative pleading in this action, in
 accordance with Federal Rules of Civil Procedure Rule 15(a)(2). Liberty Mutual
 Insurance Company is dismissed without prejudice. The First Amended Complaint shall
 be deemed filed upon the Court's entry of order approving this stipulation. Defendants
 shall file and serve their Answer within 20 days of the date the First Amended
 Complaint is filed.

IT IS SO ORDERED.Date: January 26, 2024By: 

Hon. Maxine M. Chesney
 United States District Judge